

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
Dallas Division**

CHARLENE CARTER, Plaintiff, V. SOUTHWEST AIRLINES CO., AND TRANSPORT WORKERS UNION OF AMERICA, LOCAL 556, Defendants.	Civil Case No. 3:17-cv-02278-X
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**PLAINTIFF CHARLENE CARTER’S MOTION FOR LEAVE
TO FILE SUPPLEMENTAL TRIAL EXHIBITS ACCOMPANYING RECENT
DEPOSITIONS AND HER INCORPORATED BRIEF IN SUPPORT**

Plaintiff Charlene Carter files this motion, and requests leave to supplement the parties’ Trial Exhibits with Proposed Trial Exhibits 139-146, which Carter has submitted to the Court’s Starr_Orders@txnd.uscourts.gov email address in tandem with her proposed order.¹ Carter seeks to add exhibits that are all highly relevant and will assist the jury in better understanding the facts. The defendants will suffer no prejudice by adding these exhibits to the list.

Carter recently used these Proposed Trial Exhibits in Linda Rutherford’s June 23, 2022 deposition (Trial Exhibit 139), and Sonya Lacore’s June 24, 2022 deposition (Trial Exhibits 141, 146), taken pursuant to the Court’s June 16, 2022 Order. Carter further expects to use Trial Exhibits

¹ While the Court suggested at the pretrial conference that the parties may file and submit exhibits without a motion for leave for coordinated efforts between the parties to amend and streamline exhibits (*see e.g.*, Tr. 9:2-10; 9:24-10:16; 11:2-17), Transport Workers Union of America Local 556 opposes Carter’s supplementing trial exhibits with Proposed Trial Exhibits 139-146, and Southwest has not responded.

140-145 in Brian Talburt's deposition, authorized pursuant to the Court's June 30, 2022 Order (from earlier today). Trial Exhibit 139 is relevant to Southwest's communications regarding the 2017 Women's March event and its response to flight attendants who turned cabin lights pink on certain Southwest flights to the Women's March.

Carter's Proposed Trial Exhibits 140-145 are relevant because they involve Stone Core Team supporter and union Contract Action Network representative, Brian Talburt's, targeting of union opponents, Southwest management's knowledge that Talburt was targeting union opponents on social media, and President Stone's representation of Talburt for his social media discipline. Carter's Proposed Trial Exhibit 146 involves Southwest Senior VP of Inflight Services, Sonya Lacore's, discussions with Local 556 President Stone about union nonmember objectors.

At trial, Carter will use the exhibits in her examination of several witnesses, including Brian Talburt, Audrey Stone, and Sonya Lacore. Supplementing the file with these additional exhibits would not prejudice the defendants as Local 556 produced them all during discovery, and many of these exhibits were used very recently in the depositions of Sonya Lacore and Linda Rutherford, and will likely be used in the deposition of Brian Talburt.

For the forgoing reasons the Court should grant Carter's motion for leave to supplement the Court's Trial Exhibits with Proposed Trial Exhibits 139-146.

Dated: June 30, 2022

Respectfully submitted,

/s/ Matthew B. Gilliam

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Certificate of Conference

I hereby certify that on June 29 and 30, 2022, I emailed Counsel for Southwest and Local 556 regarding Carter's request to supplement the Court's file with the proposed trial exhibits. Local 556 emailed on June 30, 2022 and stated that it opposes Carter's request. Southwest did not respond to Carter's emails regarding Carter's request.

/s/ Matthew B. Gilliam

Certificate of Service

I hereby certify that on June 30, 2022, I electronically filed the foregoing document with the Clerk of Court by using the CM/ECF system, which will send a notice of electronic filing to all counsel of record

/s/ Matthew B. Gilliam